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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

China, Cuba, Democratic People's Republic of Korea, Lao People's Democratic Republic, Namibia, Sudan, United Republic of Tanzania, Viet Nam and Zimbabwe: draft resolution

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purposes of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Also recalling its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Further recalling the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and for liberation from colonial domination and apartheid, and for the establishment of a society in which the people, irrespective of race, colour or creed, will fully enjoy political and other rights on a basis of equality and participate freely in the determination of their destiny,

Also reaffirming the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to decide freely on their own future,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Also recognizing that there is no single political system or single model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full popular participation in electoral processes corresponds to States,

Recalling its resolutions in this regard, in particular resolution 46/130 of 17 December 1991,

Welcoming the Vienna Declaration and Programme of Action 1/ adopted at the second World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, which reaffirms that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full popular participation in those processes;

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3. Also reaffirms that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that intend to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Further reaffirms that there is no universal need for the United Nations to provide electoral assistance to Member States, except in special circumstances such as cases of decolonization, in the context of regional or international peace processes or at the request of specific sovereign States, by virtue of resolutions adopted by the Security Council or the General Assembly in each case, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States;

5. Urges all States to respect the principle of non-interference in the internal affairs of States and the sovereign right of peoples to determine their political, economic and social systems;

6. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

7. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. Reiterates that only the total eradication of apartheid and the establishment of a non-racial, democratic society based on majority rule, through the full and free exercise of universal suffrage, can lead to a just and lasting solution to the situation in South Africa;

9. Reaffirms the legitimacy of the struggle of all peoples under colonial and foreign domination, particularly of the Palestinian people, for the exercise of their inalienable right to self-determination and national independence, which will enable them to determine their political, economic and social system, without interference;

10. Calls upon the Commission on Human Rights at its fiftieth session to continue giving priority to the review of the fundamental factors that negatively affect the observance of the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes and to report to the General Assembly at its forty-ninth session, through the Economic and Social Council;

11. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution under the item entitled "Human rights questions".